

Heritage Statement

Anchor Inn, 80 Main Street, Gunthorpe, Nottinghamshire

On behalf of Mica Redd

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1. Introduction

- 1.1. Pegasus Group have been commissioned by Mica Redd to prepare a Heritage Statement to consider the proposed application for Planning Permission at the former Anchor Inn public house at 80 Main Street, Gunthorpe as shown on the Site Location Plan provided at Plate 1.

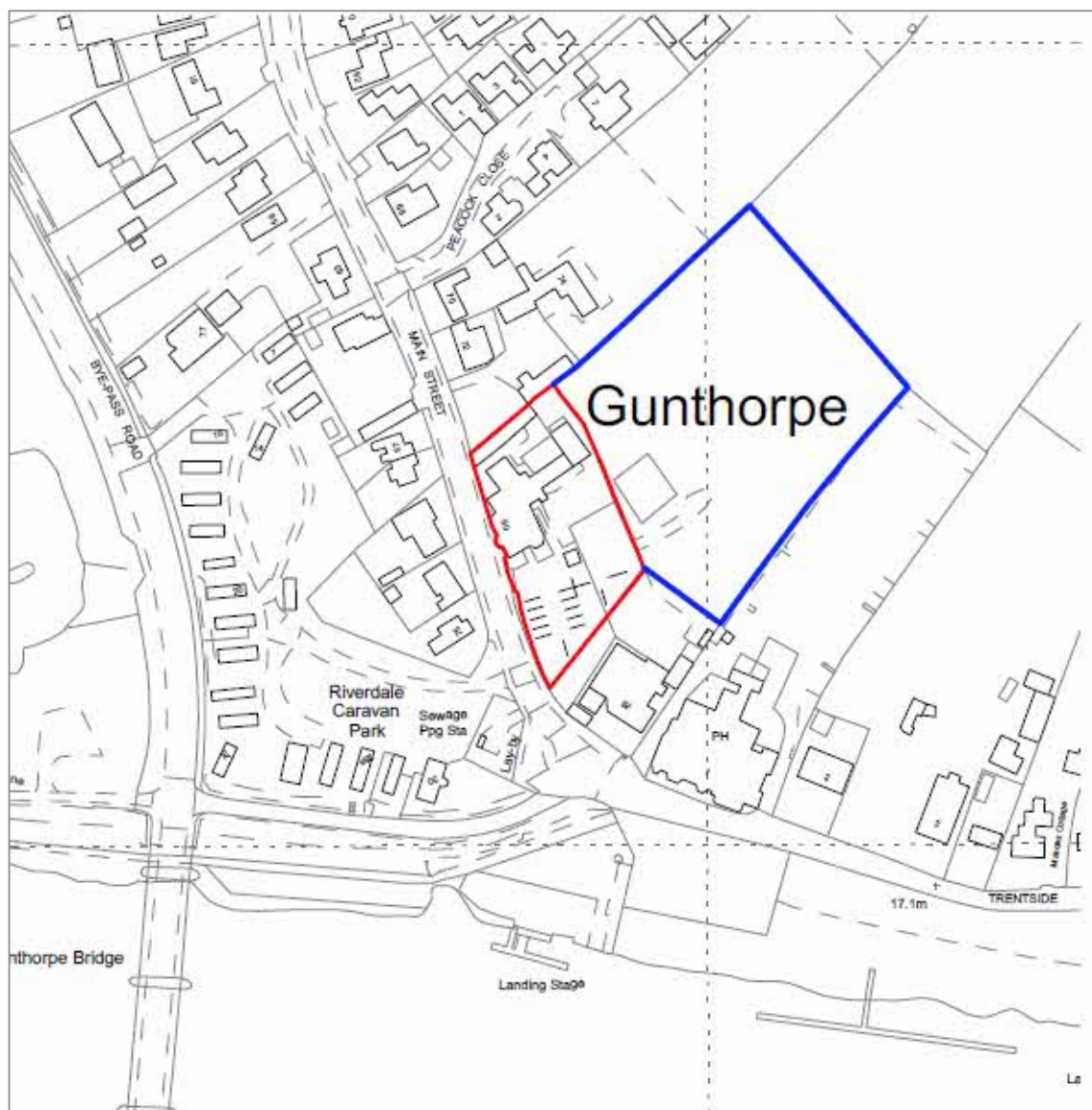


Plate 1 Site Location Plan.

- 1.2. The site comprises the former public house, associated outbuildings and car parking area.
- 1.3. The site does not include any designated heritage assets and none of the buildings at the site are included on any formal, adopted list of non-designated heritage assets (Locally Listed Buildings). However, pre-application advice from the Local Planning Authority has indicated that whilst the former pub is unlikely to be considered to be a non-designated heritage asset, the outbuildings at the site are likely to be considered as such. The advice provided reads as follows:

"The proposal would involve demolition and clearance of the buildings on site at the former Anchor Inn in Gunthorpe. The site includes the former Anchor Inn pub building to the front of the site and ancillary outbuildings to the rear and north of the site...

The former inn is visible on the 19th- century mapping and has some historic interest as well as architectural interest, particularly with the double-height canted bay projection that is an attractive prominent feature along the highway. However, there have been numerous extensions, infills and alterations to this building which have cumulatively subsumed the property and eroded its architectural value. From a desk-based assessment, it is considered that the building is unlikely to meet the Council's criteria for Non-designated heritage assets (currently out for public consultation).

The other buildings on the site (to the north and east of the former pub) have retained their integrity and historic plan form. Although empty and in a deteriorating condition, the buildings are illustrative of vernacular and traditional construction. With regards to the Council's draft Non-Designated Heritage Asset selection criteria, these buildings have degree of historic interest, association and possibly integrity. These buildings are likely considered to be non-designated heritage assets as a result."¹

14. The site is also within vicinity of several buildings included on the Historic Environment Record (HER) namely 72, 73 and 82 Main Street.
15. This Assessment provides information with regards to the significance of the historic environment to fulfil the requirement given in paragraph 194 of the Government's *National Planning Policy Framework* (the *NPPF*) which requires:

"..an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting".²
16. In order to inform an assessment of the acceptability of the scheme in relation to impacts on the historic environment, following paragraphs 199 to 203 of the *NPPF*, any harm to the historic environment resulting from the proposed development is also described, including impacts on significance through changes to setting.
17. As required by paragraph 194 of the *NPPF*, the detail and assessment in this Report is considered to be "*proportionate to the assets' importance*".³

¹ Heritage Advice offered by Newark and Sherwood District Council on 8th March 2022.

² Department for Levelling Up, Housing and Communities (DLUHC), *National Planning Policy Framework (NPPF)* (London, July 2021), para. 194.

³ DLUHC, *NPPF*, para. 194.

2. Proposed Development

- 2.1. The application seeks Planning Permission for the demolition of the former public house and erection of mixed- used development with associated landscaping at the former Anchor Inn, 80 Main Street, Gunthorpe, Nottinghamshire.
- 2.2. The proposals are detailed on the following plans which form the application package and which this assessment considers:

Plan Title	Drawing No.
Site Location Plan	Gun - Bar - PI - 000
Proposed Site Plan	Gun - Bar - PI - 005
Proposed Site Plan - Local	Gun - Bar - PI - 006
Proposed Ground Floor Plans	Gun - Bar - PI - 007
Proposed First Floor Plans	Gun - Bar - PI - 008
Unit 01- Proposed Floor Plans	Gun - Bar - PI – 009
Unit 01- Proposed Elevations	Gun - Bar - PI - 010
Unit 01- Proposed Sections	Gun - Bar - PI - 011
Unit 02 - Proposed Floor Plans	Gun - Bar - PI – 012
Unit 02 - Proposed Elevations	Gun - Bar - PI - 013
Unit 03 - Proposed Floor Plans	Gun - Bar - PI - 014
Unit 03 - Proposed Elevations & Section	Gun - Bar - PI - 015
Unit 04 - Proposed Floor Plans	Gun - Bar - PI - 016
Unit 04 - Proposed Elevations & Section	Gun - Bar - PI - 017
Proposed 3d View - Sheet 01	Gun - Bar - PI - 018
Proposed 3d View - Sheet 02	Gun - Bar - PI - 019

Proposed 3d View - Sheet 03	Gun - Bar - PI - 020
Proposed 3d View - Sheet 04	Gun - Bar - PI - 021
Proposed 3d View - Sheet 05	Gun - Bar - PI - 022
Proposed 3d View - Sheet 06	Gun - Bar - PI - 023

2.3. **Section 7** of this Report presents an analysis of the impact of the proposed development on identified heritage assets discussed in **Section 6**.

3. Site Description and Planning History

Site Description

- 3.1. The site comprises a disused former pub/restaurant, outbuildings, decking areas and pergolas, and a hard surfaced car parking area. The boundaries of the site are formed by existing buildings, a modern concrete post and steel rail fence to the roadside, and timber post and rail fences. The site is becoming overgrown following the closure of the restaurant.



Plate 2: The general appearance and condition of the site.

Site History / Map Regression

- 3.2. The Ordnance Survey map, published in 1831 (Plate 3) shows buildings at the site but at insufficient scale to identify the buildings clearly. The Anchor Inn is not annotated on the map, unlike the Unicorn's Head.



Plate 3: Ordnance Survey map, 1831.

- 3.3. Sanderson's Map, published in 1835 (Plate 4) shows more clearly buildings at the site, including a building to the roadside and building along the north boundary, but no building is shown along the rear boundary and a clear access is provided to the fields behind.



Plate 4: Sanderson's Map, 1835.

- 3.4. Whilst the site is not labelled as a public house on early 19th- century maps newspaper reports indicate that the site was known as 'The Anchor'⁴ and the census return for 184^f records the occupier being Robert Knight, a stocking maker. Framework knitting and stocking making was the predominant cottage industry in this part of Nottinghamshire at this time.
- 3.5. Newspaper adverts from the 1840s⁶ reveal that the Anchor was used for auctions whilst in 1844 the Nottingham Ancient United Order of Oddfellows granted three dispensations for the opening of new lodges with the first being at the "house of Mr. Robert Knight, the Anchor, Gunthorpe...to the called the Friendship Lodge, No. 171"⁷
- 3.6. No further reference is made to the lodge in newspapers and thereby might have been short lived but by 1856 the site is recorded as being the 'Anchor Inn' and in the ownership of R Knight, suggesting that he had now become a publican.⁸
- 3.7. By 1871 the site had changed hands and was now occupied by Samuel Rawson⁹. The census¹⁰ returns record Samuel Rawson as a publican and farmer employing one boy. The site was evidently both a public house and farm.
- 3.8. The 1881 census¹¹ return (Plate 5) records that the pub had passed to Samuel Robinson and family. Samuel is recorded as being an innkeeper only, but had two boarders, one being a farmer and an agricultural labourer suggesting that the farm was still operational.

610	Anchor Inn	1	Samuel Robinson	Head	Male	74	Innkeeper	Nottingham
			Martha Robinson	Wife	Female	44	Innkeeper's Wife	Nottingham
			Eleazer Robinson	Daughter	Female	19	Servant	Nottingham
			Francis Robinson	Brother	Male	78	Retired Iron Manufacturer	Nottingham
			Charles Marriott	Boarder	Male	58	Farmer	Nottingham
			George Robinson	Boarder	Male	58	Agricultural Labourer	Nottingham
			John Pickering	Servant	Male	14	Servant Domestic	Nottingham

Plate 5: The 1881 census return entry for the Anchor Inn.

- 3.9. The Ordnance Survey map published in 1884 (Plate 6) shows the site clearly with the Anchor Inn labelled and buildings to its north and east and southern boundaries, forming a semi- enclosed yard area. There are likely to have been agricultural buildings, some of which are still standing.

⁴ Nottingham Review and General Advertiser for the Midlands Counties. Friday 10th January 1840.

⁵ PRO ref: HO 107/866/22

⁶ Nottingham Review and General Advertiser for the Midlands Counties. Friday 9th February 1844.

⁷ Nottingham Review and General Advertiser for the Midlands Counties. Friday 19th January 1844.

⁸ Nottinghamshire Guardian. Thursday 18th September 1856.

⁹ Nottinghamshire Guardian. Friday 18th August 1871.

¹⁰ PRO ref: RG 11/3533.

¹¹ PRO ref: RG 11/3369.

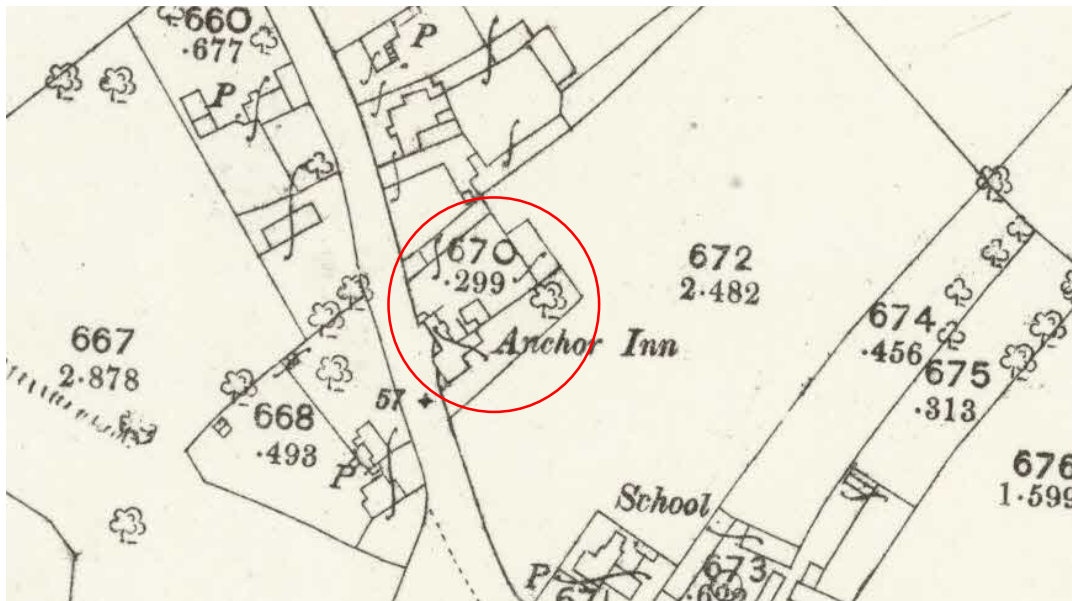


Plate 6: Ordnance Survey map, 1884.

- 3.10 . The 1911 census return¹² records the site still being the Anchor Inn and occupied by William Percy Day and his wife Ellen, both are recorded as being publicans, but there is no reference to the site being in farm use as this time.
- 3.11. The Ordnance Survey map of 1914 (Plate 7) shows that there was little change at the site since the late 19th century, although the outbuilding immediately to the rear of the pub had been extended.



Plate 7: Ordnance Survey map, 1914.

¹² Find my Past Ref: RG14 PN:20686 RD:431 SD:1 ED:14 SN:93 Page:185

- 3.12. The Days occupied the site and pub until at least the 1950s¹³ but the Ordnance Survey map published in 1954 (Plate 8) shows there had been little change at the site since 1914, other than for the pub having been further extended to the rear.



Plate 8: Ordnance Survey map, 1954.

- 3.13. By the end of the 20th century an additional building had been built to the northern side of the pub (a store/garage) this is reflected in the planning history (see below) but otherwise the arrangement of buildings remained largely unaltered.



Plate 9: Aerial image of site, 1999. Source: Google Earth.

¹³ Newark Advertiser - Wednesday 09 January 1952.

3.14. By 2011 the pub was in use as an Italian restaurant and bar but by August 2020 the building was vacant and put up to let. Aerial images from 2021 show the layout of site unchanged from 1999.



Plate 10: Aerial image of site, 2021. Source: Google Earth.

Planning History

3.15. Whilst the historic mapping described above indicates the development of the local area, a review of the recent planning history records held online by Newark and Sherwood District Council has also indicated a number of applications which are relevant to the current proposals and demonstrate further the extent of change and alterations to the building, these applications are as follows:

Application Reference	Description	Decision
08/00583/FUL	Retrospective application for the erection of a smoking shelter and proposed ground floor extension to skittle alley.	Granted 7th August 2008.
96/50717/FUL	Erection of barriers to entrance and exit of car park	Granted 4 th April 1996

93/50729/FUL	Extensions and alterations to public house	Granted 11th November 1993
94/50704/FUL	New beer cellar in yard area, covered link from cellar to existing catering kitchen	Granted 14th September 1994
94/50703/FUL	Extensions and alterations to public house (amended scheme)	Granted 16th March 1994
94/50705/FUL	Change of use of existing store rooms to village post office	Granted 21st December 1994

Summary

3.16 . Historic records and the planning history thereby suggest that the site has a mixed history of uses, from stocking maker's house to a farm with public house, with skittle alleys, an Oddfellows Lodge, an auction site, and post office and village store. However, it is evident that the public house use was the most long-lived.

4. Methodology

- 4.1. The aims of this Report are to assess the significance of the built heritage resource within the site; to assess any contribution that the site makes to the heritage significance of any surrounding heritage assets that are considered to be within its setting; and to identify any harm or benefit to them which may result from the implementation of the development proposals, along with the level of any harm caused, if relevant.

Sources

- 4.2. The following key sources have been consulted as part of this assessment:

The Nottinghamshire Historic Environment Record (HER) accessed via Heritage Gateway for information on the recorded heritage resource in the vicinity of the site;

The National Heritage List for England for information on designated heritage assets.

Historic maps available online, and the Sandersons Maps of Nottinghamshire available in Nottinghamshire Libraries;

Census Returns and Electoral Roles;

The British Newspaper Archive; and

Google Earth satellite imagery.

Site Visit

- 4.3. A site visit was undertaken by a Heritage Consultant from Pegasus Group on 5th July 2022, during which the site and its surrounds were assessed.

Photographs

- 4.4. Photographs included in the body text of this Report are for illustrative purposes only to assist in the discussions of heritage assets, their settings, and views, where relevant. Unless explicitly stated, they are not accurate visual representations of the site or development proposals, nor do they conform to any standard or guidance i.e., the Landscape Institute Technical Guidance Note 06/19. However, the photographs included are intended to be an honest representation and are taken without the use of a zoom lens or edited, unless stated in the description or caption.

Assessment Methodology

- 4.5. Full details of the assessment methodology used in the preparation of this Report are provided within **Appendix 1**. However, for clarity, this methodology has been informed by the following:

Historic Environment Good Practice Advice in Planning: 2 - Managing Significance in Decision- Taking in the Historic Environment (hereafter GPA:2);¹⁴

Historic Environment Good Practice Advice in Planning Note 3 (Second Edition) - The Setting of Heritage Assets, the key guidance of assessing setting (hereafter GPA:3);¹⁵

Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (hereafter HEAN:12);¹⁶ and

Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment.¹⁷

¹⁴ Historic England, *Historic Environment Good Practice Advice in Planning: 2 – Managing Significance in Decision- Taking in the Historic Environment (GPA:2)* (2nd edition, Swindon, July 2015).

¹⁵ Historic England, *Historic Environment Good Practice Advice in Planning Note 3 - The Setting of Heritage Assets (GPA:3)* (2nd edition, Swindon, December 2017).

¹⁶ Historic England, *Historic England Advice Note 12 – Statements of Heritage Significance: Analysing Significance in Heritage Assets (HEAN:12)* (Swindon, October 2019).

¹⁷ English Heritage, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008).

5. Policy Framework

Legislation

- 5.1. Unlike designated heritage assets there is no legislation that relates specifically to non-designated heritage assets / locally listed buildings. Statutory obligations are thereby set out within the Town and Country Planning Act 1990 and the Legislation relating to the built historic environment is primarily set out within the *Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning and Compulsory Purchase Act 2004*, which requires that all planning applications, i are determined in accordance with the Development Plan unless material considerations indicate otherwise.¹⁸

National Planning Policy Guidance

- 5.2. National Planning Policy guidance relating to the historic environment is provided within Section 16 of the Government's *National Planning Policy Framework (NPPF)*, an updated version of which was published in July 2021. The *NPPF* is also supplemented by the national *Planning Policy Guidance (PPG)* which comprises a full and consolidated review of planning practice guidance documents to be read alongside the *NPPF* and which contains a section related to the Historic Environment.¹⁹ The PPG also contains the *National Design Guide*.²⁰
- 5.3. Full details of the relevant national policy guidance is provided within **Appendix 2**.

The Development Plan

- 5.4. Applications for Planning Permission are currently considered against the policy and guidance set out within the:

Newark and Sherwood Amended Core Strategy, adopted 7th March 2019.

Newark and Sherwood Local Development Framework Allocations & Development Management Development Plan Document, adopted July 2013.

Non- designated heritage assets- Criteria, adopted March 2022.

- 5.5. Details of the policy specific relevant to the application proposals are provided within **Appendix 3**.

¹⁸ UK Public General Acts, Planning and Compulsory Purchase Act 2004, Section 38(6).

¹⁹ Department for Levelling Up, Housing and Communities (DLUHC), *Planning Practice Guidance: Historic Environment (PPG)* (revised edition, 23rd July 2019), <https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment>.

²⁰ Department for Levelling Up, Housing and Communities (DLUHC), *National Design Guide* (London, January 2021).

6. The Historic Environment

- 6.1. The following Section provides an assessment of elements of the historic environment that have the potential to be impacted upon by the proposed development.
- 6.2. As set out in **Section 1** the site comprises a disused former pub/restaurant outbuildings, decking areas and pergolas and a hard surfaced car parking area. The outbuildings along the northern boundary of the site are identified on the Historic Environment Record and the Conservation Officer, in their pre-application advice, considers the building to the rear of the former pub to also be a non- Designated Heritage Asset, but considers that the former public house is unlikely to comply with the criteria to be considered as such. For robustness this Statement examines the heritage significance of all buildings at the site, these include.
- No.80 Main Street the former public house / restaurant.
- The outbuildings to the north of No. 80 Main Street (hereafter known as Outbuilding A).
- The outbuilding to the rear (east) of No. 80 Main Street (hereafter known as Outbuilding B).
- 6.3. With regards to other heritage assets within the surrounds of the site, Step 1 of the methodology recommended by *GPA3* (see methodology), is to identify which heritage assets might be affected by a proposed development.²¹
- 6.4. Development proposals may adversely impact heritage assets where they remove a feature which contributes to the significance of a heritage asset, or where they interfere with an element of a heritage asset's setting which contributes to its significance, such as interrupting a key relationship or a designed view.
- 6.5. It is however widely accepted (paragraph 207 of the *NPPF*) that not all parts of a heritage asset will necessarily be of equal significance.²² In some cases, certain elements of a heritage asset can accommodate substantial changes whilst preserving the significance of the asset.
- 6.6. Significance can be derived from many elements, including the historic fabric of a building or elements of its surrounds.
- 6.7. Consideration, based upon professional judgement and on-site analysis, was therefore made as to whether any of the known heritage assets present within the surrounding area may include the site as part of their setting, whether the site contributes to their overall heritage significance, and whether the assets may potentially be affected by the proposed scheme as a result.

²¹ Historic England, *GPA:3*, p. 4.

²² DLUHC, *NPPF*, para. 207.

- 6.8. It has been observed that **No. 73 Main Street - Non- Designated Heritage Asset** might have the potential to be sensitive to the development proposals and thus has been taken forward for further assessment.
- 6.9. With regard to any other heritage asset in the vicinity of the site, assessment has concluded that the site does not form any part of setting that positively contributes to overall heritage significance due the nature of the asset and a lack of visual connections, spatial relationships or historic connections . Accordingly, the proposed development is not anticipated to result in a change that would impact upon the overall heritage significance of these assets. Other heritage assets have therefore been excluded from further assessment within this Report.
- 6.10. A map of all heritage assets formally identified within the site and in the vicinity of the site is included at **Appendix 4**.
- 6.11. For the purposes of this Section and the remainder of the Heritage Statement the buildings at the site are referred as No.80 the former Anchor Inn, Outbuilding A, Outbuilding B and No. 73 Main Street, as shown in Plate 1: Buildings referred to in this Section..

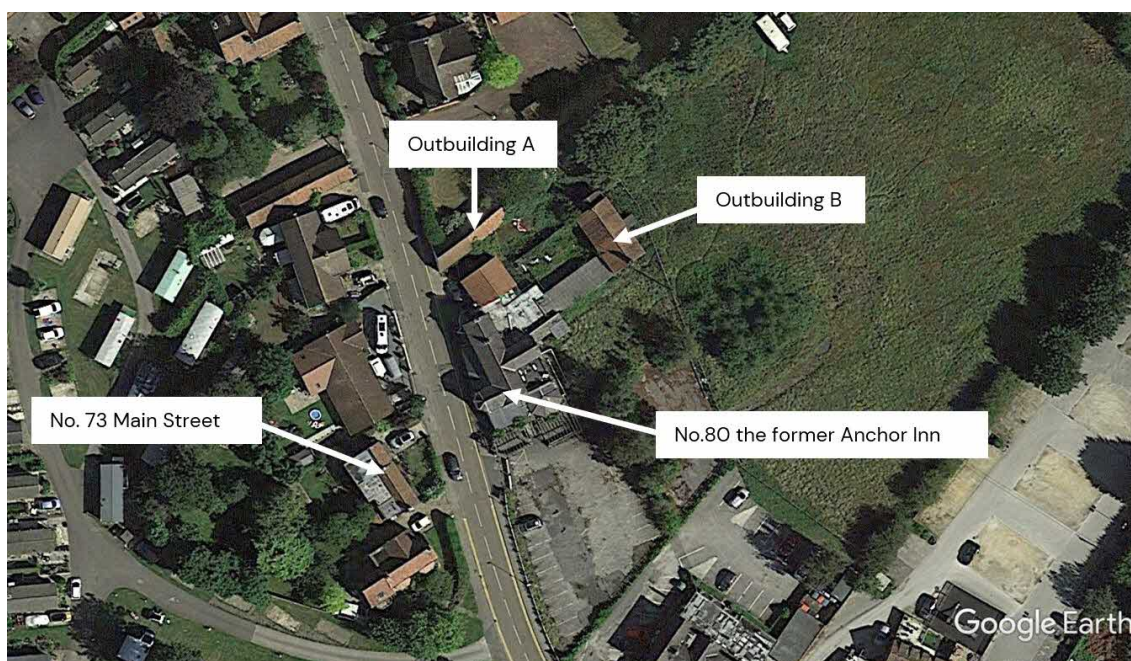


Plate 1: Buildings referred to in this Section.

No. 80 Main Street – the former public house / restaurant

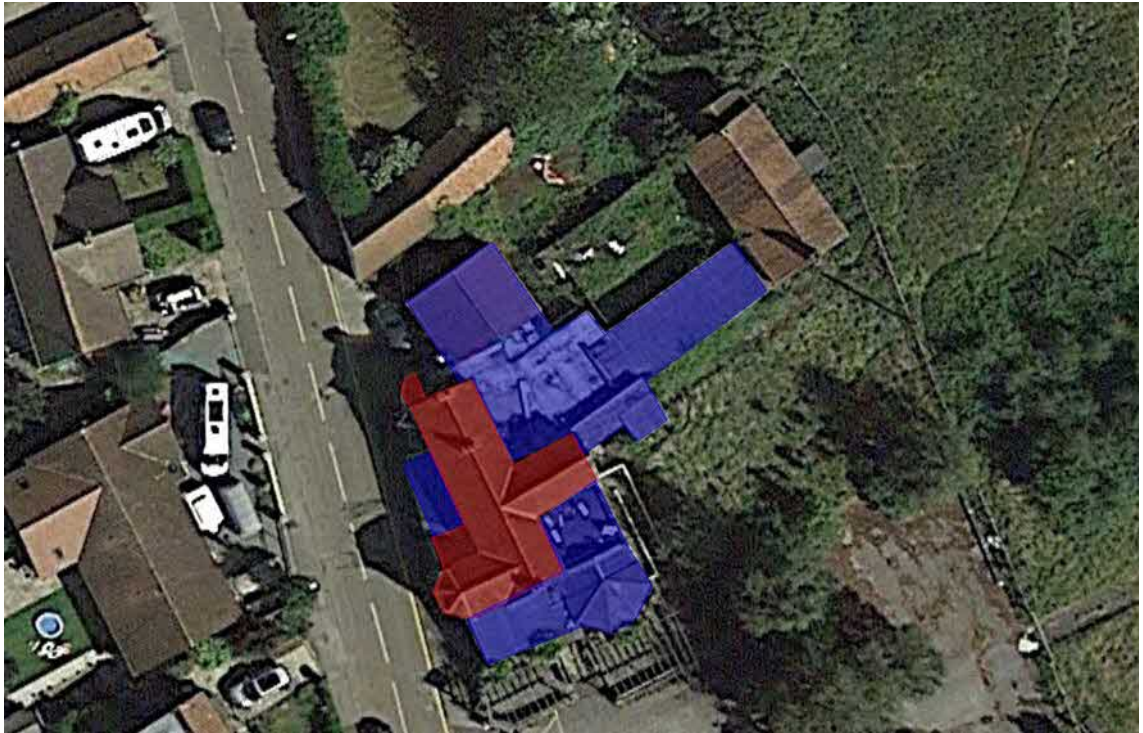


Plate 12 The two main phases of development of the former public house – red is the oldest phases of the building. Blue is 20th- century additions.

- 6.13. **Exterior:** The former public house occupies a back of pavement location and is built from rendered brick with a Welsh slate roof and clay rolled ridge tiles with clay finials. At the ridge are three brick chimney stacks. The layout is broadly T-Plan with a front projecting two storey canted bay. The eaves comprise a dentil brick course. All window lintels are stone with chamfers and all windows are modern, constructed from timber or UPVC. There is nothing visible to suggest that the main building was not built as one phase, this is shaded red in Plate 12 and is likely to date from the mid- 19th century. In considering the history of the site it is possible that an earlier building was extended and remodelled, or replaced to accommodate the public house use, but there is no evidence of an earlier house at or within the building fabric.
- 6.14. From the mid- 20th century, the building has been extensively extended with a brick and pantile store, brick flat roofed extensions, lean - to side extension and a corridor extension to link to the building at the site boundary. The extensions are built from several materials and unified by being painted cream. In addition to the extensions are decked areas with pergolas.
- 6.15. **Interior:** The interior is generally devoid of any interest. No features of heritage interest survive to any room and the original layout is not discernible.
- 6.16. **Setting and Surrounds:** The immediate setting of the building comprises its associated car park, Main Street, and its associated outbuildings. Its wider setting comprises the settlement of Gunthorpe which is a mix of 18th, 19th and 20th century buildings, including No.73 Main Street.



Plate 13: Exterior of the former pub.



Plate 14: General character of the interior of the ground floor of the former pub.



Plate 15: General character of the interior of the first floor of the former pub.



Plate 16: Interior of the rear link building of the former pub.

Outbuilding A

- 6.18. Outbuilding A is a single storey range that occupies the northern site boundary. The 1884 Ordnance Survey map (Plate 17) suggests that the range might have been built in two phases, this would explain the slight change in ridge heights, but overall is likely to date to the early 19th century.

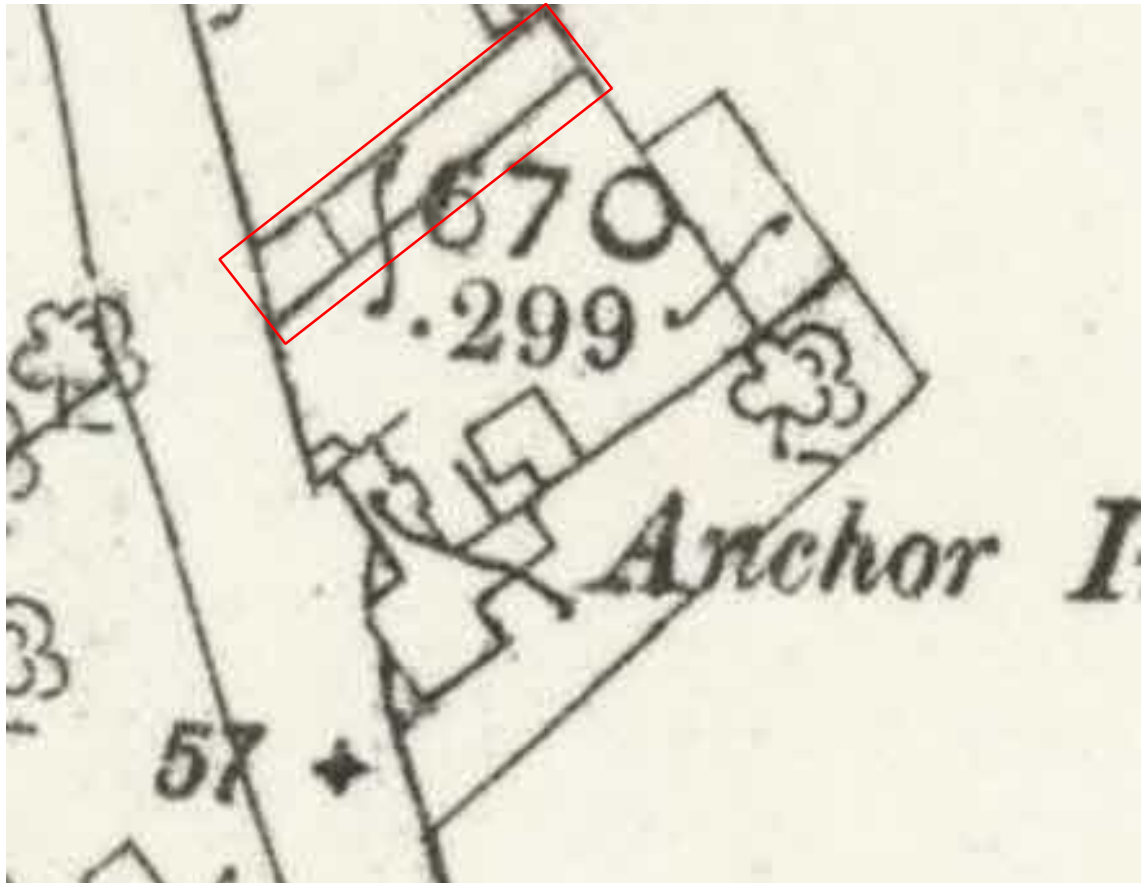


Plate 17:: Outbuilding A as shown on the 1884 Ordnance Survey Map.

- 6.19. The building comprises three distinct parts. The **first third** includes the end closest to the road. This part of the is built from rendered brick and has a modern roof covered with concrete double pantile with cloaking tiles to the verge. The eaves comprise UPVC soffits and rainwater goods, and all windows and doors are UPVC. The gable end to the pavement included a Royal Mail wall box with the E II R cypher. This relates to its former use as a post office and store (see Planning History above).
- 6.20. Internally, this part is modern, with plastered walls and ceiling. There are no features of historic interest and thereby its original use cannot be discerned.



Plate 18: The street end of Outbuilding A and its interior.

- 6.21. The **second third** comprises the middle section. This is built from brick but painted and has a traditional clay single lap pantile roof with clay ridge tiles, UPVC soffits and no rainwater goods. Behind the soffit board is a chamfered timber lintel supported off the front brick elevation, which also has chamfered bricks (Plate 19). The bricks and lintel denote a former opening indicating that this part of the building was probably a cart shed/coach house/implement store.
- 6.22. The original opening is infilled with black stained timber Yorkshire boarding into which is inserted a UPVC window and door.
- 6.23. Internally this part is modern, with plastered walls and ceiling. There are no features of historic interest.



Plate 19: The middle section of Outbuilding A and its interior.

- 6.24. The **final third** is furthest from the road and is built from brick which is painted and has a modern timber roof which is felted, and roof covered with pantiles (the roof is difficult to see due to the overgrown vegetation). The front elevation includes 1no. 20th- century casement windows with patterned glass, 1no large barn type side hung door and 2no smaller doors under timber lintels. All doors are hung off strap hinges, which all appear to be modern steel. All doors are vertical boarded of ledge and braced type.
- 6.25. Internally the walls are brick and painted white and the floors are brick, with drainage channels. The modern roof timbers are also visible. It is likely that this space was used as a store and stabling. Other than for elements of the original brick floor there are no features of historic interest.



Plate 20: The end third of Outbuilding A and its interior.

Outbuilding B

- 6.27. Outbuilding B comprises the large brick building on the site boundary to the northeast of the former pub. The building is likely to have been built between 1835 and 1884.
- 6.28. The building appears 1.5 storey high but is in fact single storey. It is built from brick with a clay single lap pantile roof with half-round clay ridge tiles. The brick to the gables of the roof only shows signs of rebuilding, evident by the different style brick. To each gable is a brick chimney stack with oversailing brick courses. The chimney stacks appear to have been rebuilt with both types of brick.
- 6.29. Each elevation originally was symmetrical with two full height windows to each set under a stone lintel with chamfer, matching those at the former pub. To the front and the rear was a central door set under a brick cambered arch. The building has been extended to the side and rear with timber clad off-shots, one with a concrete tiled gabled roof and the one to the rear being a simple lean-to with a felted roof. The left-hand side of the front elevation has been obscured and fabric removed to create the link extension to the pub.
- 6.30. The windows and doors are mostly timber but not original and the upper portions have been crudely over boarded with waney edge type timber cladding. The ship lap boarding above the central door is likely to have replaced an earlier over light/ fanlight.
- 6.31. Internally the building comprises one large open space with timber boarded floor. The chimney breasts to each gable remain but without fire surrounds or grates. The walls have been over boarded and the original window dimensions are not discernible. The extension to the gable comprises two small rooms with doorways made in the original brick gable wall, which can still be seen within the rooms. Part of the timber truss is visible together with the iron tie rod. The roof construction is typical of that used for halls in the 19th century and is likely to be a scissor truss roof with ties, or a timber and iron truss roof with a king rod.

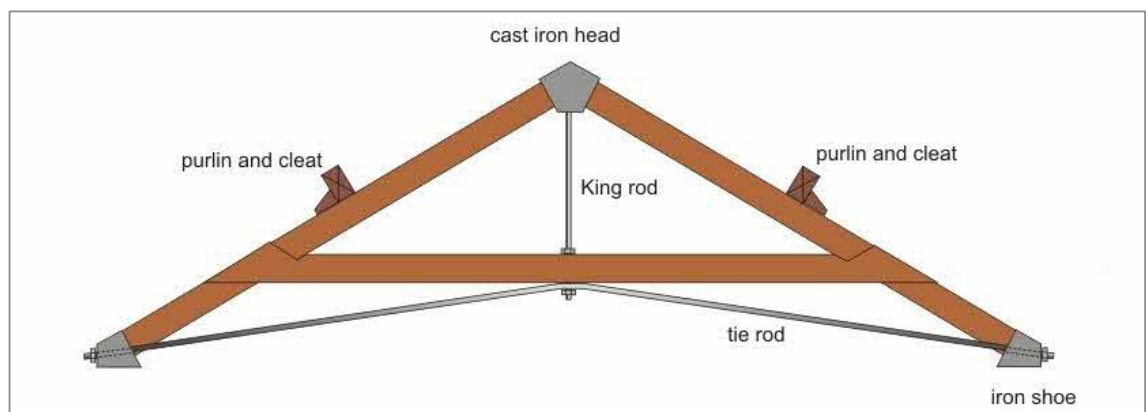


Plate 21: Timber and iron truss roof with a king rod.

- 6.32. This building was not designed for agricultural use but built as an open hall space. When considering the history of the site presented in Section 3 it is probable that this building was the Friendship Lodge of the Oddfellows that was commissioned in 1844. However, the space is likely to have been multi-functional used also for auctions and events at the pub, including skittles.



Plate 22: The front, rear, and interior of Outbuilding B.

Setting and Surrounds

- 6.33. The immediate setting of the buildings at the site comprises Main Street; the hard surfaced car parking area, houses and commercial buildings along Main Street predominantly from the 19th and 20th centuries. The wider setting comprises the agricultural fields to the east.
- 6.34. Directly opposite the site is No. 73 Main Street. The building is recorded on the Historic Environment Record (HER No. M14703).

No. 73 Main Street.



Plate 23: No. 73 Main Street.

- 6.35. The building is a house, likely to date from the early 19th century, being rectangular in plan form and built from brick with a clay pantile roof and chimneys to each gable. The house is three-bays with one bay comprising a modern 2-storey extension has been added to the north elevation.
- 6.36. Modern bay windows have been added to the ground floor in the 20th century, and whilst all windows are painted timber, they are all modern with modern louvred shutters to their sides.
- 6.37. To the front of house is a front garden set behind a low painted brick wall, together with a driveway.
- 6.38. The house is typical of the local vernacular and no sources have been identified that suggest the house was associated with the application site historically.

Statement of Significance

6.39. The Planning Practice Guidance states the following.

“Non- designated heritage assets are buildings, monuments, sites, places, areas or landscapes identified by plan- making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.

A substantial majority of buildings have little or no heritage significance and thus do not constitute heritage assets. Only a minority have enough heritage significance to merit identification as non- designated heritage assets.”

6.40. Whilst Newark and Sherwood do not have an adopted List of Local Heritage Assets (Non- designated heritage assets) they do have adopted criteria²³ to aid with their identification, and the pre- application advice given by the Conservation Officer indicated that Outbuilding A and Outbuilding B are likely to be considered as non- designated heritage assets, however only Outbuilding A and No.73 Main Street are included on the Historic Environment Record.

6.41. Assessing the significance of the buildings at the application site and those within its vicinity thereby must be carried out with regard to the Council’s adopted criteria. The criteria states that for a building to be considered as a Non- Designated Heritage Asset it must hold at least one of the following elements of interest:

Archaeological interest.

Architectural interest.

Artistic interest.

Historic interest.

6.42. The criteria also state:

“If the potential heritage asset site or feature has at least one element of interest – archaeological, architectural, artistic or historic - it will then be judged on its significance. The importance of a site or structure can be measured in terms of how it meets any of five elements of significance, namely: aesthetic appeal, association, integrity, rarity or representativeness.”²⁴

6.43. Simply put, the buildings or site must have an element of interest and an element of significance, as shown by the diagram in the criteria document (Plate 24).

²³ Newark and Sherwood District Council, March 2022. Non- Designated Heritage Assets – Criteria.

²⁴ Newark and Sherwood District Council, March 2022. Non- Designated Heritage Assets – Criteria. Pg.23

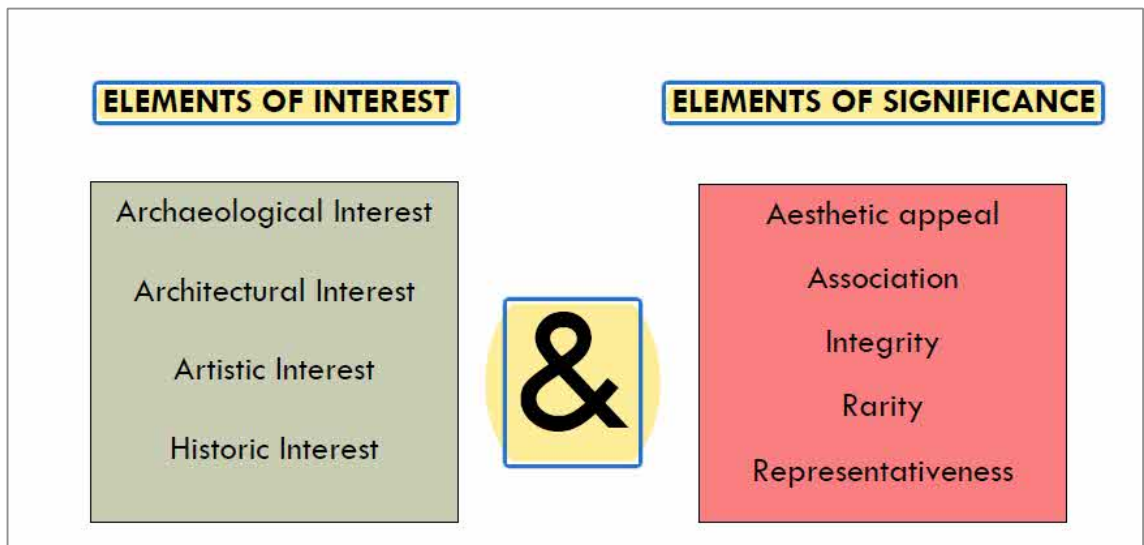


Plate 24: The elements of interest and elements of criteria the Council use to identify non-designated heritage assets.²⁵

6.44. In consideration of the adopted identification criteria the heritage interest and significance of the buildings at and around the site is determined as follows:

No.80 Main Street (the former Anchor Inn public house): This building lacks archaeological, architectural, and artistic interest. The building holds some historic interest based on its age, dating from at least the mid- 19th century, possibly earlier, and from its historic use as public house which is recorded in archival records. However, the building has been altered numerous times and lacks any aesthetic appeal or integrity, it is not associated with any known notable persons or events in history, it is not a rare building, and it does not represent any particular historical or architectural trend or is part of the legacy of a particular individual, architect, architectural movement, or programme of works. It is concluded that **No.80 is not a Non- Designated Heritage Asset.**

Outbuilding A: This building lacks any archaeological or artistic interest. The building holds some architectural and historic interest simply due to its age and the use of traditional vernacular materials reflecting the Nottinghamshire agricultural style of the 18th and 19th centuries. However, the building has been altered numerous times and lacks any aesthetic appeal or integrity, it is not associated with any known notable persons or events in history, it is not a rare building, and it does not represent any particular historical or architectural trend or is part of the legacy of a particular individual, architect, architectural movement, or programme of works. Despite its inclusion on the HER it is concluded that **Outbuilding A is not a Non - Designated Heritage Asset.**

Outbuilding B: This building lacks any archaeological or artistic interest. The building holds some architectural and historic interest from its use of vernacular materials and its potential use a lodge to the Oddfellows Society in the mid- 19th century. Although the building is altered it does hold some aesthetic and its integrity has not

²⁵ Newark and Sherwood District Council, March 2022. Non- Designated Heritage Assets – Criteria. Pg.25

been fully lost – it does still retain a sense of completeness. The building was potentially associated with the Oddfellows Society and thereby might represent that group in the 19th century. It is concluded the building is of moderate significance but **might be considered to be a Non- Designated Heritage Asset**.

No.73 Main Street: This building lacks any archaeological or artistic interest. The building holds some architectural and historic interest simply due to its age and the use of traditional vernacular materials reflecting the Nottinghamshire domestic style of the late 18th and early 19th centuries. Despite later alterations the integrity of the building has largely survived, and it has some aesthetic appeal. It is concluded the building is of moderate significance but **might be considered to be a Non- Designated Heritage Asset**.

Contribution of Setting to Significance.

- 6.45. Whilst the buildings at the application site all have some historic interest they have no identified historical or functional association with any heritage asset in the vicinity, including No.73 Main Street.
- 6.46. Whilst the site is visible in views with and from No.73 these views are not significant and do not contribute to its heritage significance. In fact, the current condition and appearance of the site are detracting in any view along the street and with No.73.
- 6.47. The buildings at the site historically all had distinct functions, with No.80 Main Street being domestic/public house; Outbuilding A being stabling, and cart shed; and Outbuilding B being a function room of some kind. Whilst the buildings are likely to have been dependant on each other at various times the interrelation between them is not as strongly evident as with some asset types, for example a farmstead. In this case, other than for the fields to the east and from within the yard area between the buildings which allow for views of Outbuilding B no other elements of their setting and surrounds is considered to contribute to their significance.

Summary

- 6.48. This Assessment has identified that only Outbuilding B within the site complies with the criteria for identifying Non- Designated Heritage Asset and is of moderate significance only. The fields to the east, and the yard area within the site, between the buildings, are areas that enable the buildings to be viewed and appreciated and thereby make some contribution to its significance.
- 6.49. No.73 Main Street, opposite the site is also considered to be a Non- Designated Heritage Asset but does not contribute to the significance of any buildings at the site and the site is considered to not make any contribution to its significance. In fact, the current condition and appearance of the site detracts from the building in views towards it and from it.

7. Assessment of Impacts

- 7.1. This Section addresses the heritage planning issues that warrant consideration in the determination of the application for Planning Permission in line with the proposals set out within **Section 3** of this Report.
- 7.2. As detailed above, the *Planning and Compulsory Purchase Act (2004)* requires that applications for Planning Permission, are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The policy guidance set out within the *NPPF* is considered to be a material consideration which attracts significant weight in the decision-making process.
- 7.3. The *NPPF* states that the impact of development proposals should be considered against the particular significance of heritage assets, such as non-designated heritage assets, and with regard to non-designated heritage assets, potential harm should be considered within the context of Paragraph 203 of the *NPPF*.²⁶ There is no basis in policy for describing harm to them as substantial or less than substantial, rather the *NPPF* requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset.
- 7.4. High Court Judgements have confirmed that when considering potential impacts on non-designated heritage assets within the decision-making process, the balanced judgement required is different from the public benefits exercise associated with designated heritage assets (as set out in Paragraphs 201 and 202 of the *NPPF*).²⁷
- 7.5. Within a High Court Judgment of 2017, Jarman HHJ confirmed that the only requirement of the *NPPF* in respect of non-designated heritage assets is “*that the effect of an application on the significance should be taken into account*”.²⁸
- 7.6. This was further expressed in the Bohm decision, which stated that:

[34] “Unsurprisingly, given that an NDHA [non-designated heritage asset] does not itself have statutory protection, the test in para 135 [Paragraph 203 of the 2021NPPF] is different from that in paras 132- 4 [Paragraphs 200- 202 of the 2021NPPF], which concern designated heritage assets. Paragraph 135 [Paragraph 203 of the 2021 NPPF] calls for weighing “applications” that affect an NDHA, in other words the consideration under that paragraph must be of the application as a whole, not merely the demolition but also the construction of the new building. It then requires a balanced judgement to be made by the decision maker. The NPPF does not seek to prescribe how that balance should be undertaken, or what weight should be given to any particular matter.”²⁹

²⁶ DLUHC, *NPPF*, para.203.

²⁷ DLUHC, *NPPF*, paras. 201 and 202.

²⁸ Travis Perkins (Properties) Limited v Westminster City Council [2017] EWHC 2738 (Admin), Paragraph 44.

²⁹ Bohm [2017] EWHC 3217 (Admin).

- 7.7. This Section will consider each of the buildings detailed above and assess the impact of the proposed development, whether that be harmful or beneficial to the significance identified in Section 6 above.

No. 80 Main Street – the former public house / restaurant

- 7.8. This assessment of this building has concluded that it is considered to not be a non-designated heritage asset and the proposed development seeks the demolition of the building and its redevelopment. There are no heritage grounds for an objection to its demolition.
- 7.9. The building is proposed to be replaced by Unit 02 - a proposed farm and butchers' shop and dental clinic and salon. This will be a rectilinear plan two-storey building. The overall scale and mass of the building reflects traditional agricultural buildings, whilst its design and appearance, adopting a clay tile roof, brick dentil courses at the eaves and large windows and doors that read as full height openings are a nod to agricultural character without seeking to be a pastiche.
- 7.10. The proposed building will result in no harm to the any surrounding heritage assets, including No.73 Main Street, or Outbuilding A and Outbuilding B, but will enhance their setting.

Outbuilding A

- 7.11. This assessment has concluded that this building it is considered to not be a non-designated heritage asset, however the proposed development seeks to retain the building and convert it to become a farm shop (Unit 04).
- 7.12. The proposed development will retain and repair the building maintain the mix of the existing brick elevation and render together with a pantile roof. The two proposed openings reflect the dimensions of cart sheds but will be glazed to form shop entrances. All rooflights will be conservation style, of 19th century character. T
- 7.13. The proposed conversion will result in no harm to any surrounding heritage assets, including No.73 Main Street, or Outbuilding A and Outbuilding B, but will enhance their setting.

Outbuilding B

- 7.14. This assessment has concluded that this building it might be considered to be a non-designated heritage asset. The proposed development seeks to retain the building and convert it to become a café (Unit 03).
- 7.15. The proposed development seeks to retain its brick elevations albeit with changes to their appearance to accommodate the new use, these will result in some loss of understanding of the original design but the more prominent elements of the building that being its tiled roof and two chimney stacks will be retained. Evenly spaced conservation roof lights of 19th century character are also proposed.
- 7.16. The existing link extension to the former pub will be removed enabling the original dimension of the building and elevation to be exposed fully. The existing poor-quality

extensions will be removed and replaced with a glass extension on a brick plinth and a timber covered terrace to the rear.

- 7.17. The building will maintain an appearance commensurate to its significance and the removal of the existing link extension together with the proposed landscaping will enable the building to be better appreciated and experienced.
- 7.18. The proposed conversion will result in no harm to the any surrounding heritage assets, including No.73 Main Street, or Outbuilding B, but will enhance their setting.

Unit 01– Office Building

- 7.19. Unit 01 is a newly proposed building that will partly occupy the site of the former public house. This building is proposed to be offices and adopts a traditional L- plan form that is common with traditional houses and farmhouses in the region. The proposed material is black timber cladding with a zinc roof.
- 7.20. The building is thereby a combination of traditional plan form, scale and roofscape, with a contemporary appearance though the use of materials. However, both timber cladding and metal roofs were used throughout the 20th century especially with agricultural buildings and thereby are materials seen in rural areas and communities.
- 7.21. The position of the building within the site assists in providing a courtyard area, similar to that of traditional farm stack yards, and thereby reflects an aspect of the site's history and provides a suitable addition to the site in the context of Outbuilding A and B, and its overall plan form and roofscape which reflects a traditional house provides justification for its larger scale in comparison to other buildings at the site.
- 7.22. The proposed Unit 01 will result in no harm to the any surrounding heritage assets, including No.73 Main Street, or Outbuilding A and B, but will enhance their setting.

Landscaping

- 7.23. The proposed landscaping will remove physical barriers to the site and open up views of the buildings. The positioning of the proposed buildings alongside the retained and converted buildings will create a courtyard reflecting a traditional farm stack yard and thereby not only draws on the character of the retained buildings, but also is a recognition of the former farm use of the site in the 19th century.
- 7.24. The car park is existing, but the proposals will see this area enhanced and decluttered.

Summary

- 7.25. In summary, the lack of use, condition, and appearance of the buildings at the site are detrimental to any significance that Outbuilding B holds, and to No.73 Main Street from being within its setting.
- 7.26. The former pub is considered to not be a non- designated heritage asset and its demolition can thereby be supported. The proposed replacement building, Unit 02 will ensure the streetscape retains a built frontage to the site and the conversion of the two outbuildings will ensure that these buildings are sustained and enhanced and put into viable uses.

- 7.27. The proposed new Unit 01 draws on the contribution of the historic character of the site and will make a positive contribution to the local character and distinctiveness.
- 7.28. Overall, the site has little heritage significance with only Outbuilding B being considered to comply with the criteria for non-designated heritage assets, and on this basis the proposals are commensurate to the level of heritage significance and will result in no harm to any heritage assets from a change to their settings. The proposed development will enhance the condition and appearance and the site.

8. Conclusions

- 8.1. This Heritage Statement has examined the history and development of the site and assessed the heritage significance of the standing buildings at the site. It is concluded that the former public house and Outbuilding A do not comply with the Council's criteria for identifying non-designated heritage assets and thereby there is no heritage grounds to object to the demolition of the former pub.
- 8.2. It is recognised that Outbuilding A is included on the Historic Environment Record despite not being a heritage asset, but the proposed development seeks to retain and convert this building.
- 8.3. Outbuilding B holds some heritage significance and might thereby be considered to be a non-designated heritage asset and as such the proposed development seeks to retain and convert this building. The proposals are commensurate to the building's significance, which is moderate at most.
- 8.4. The proposed new units, Unit 01 and 02 draw on elements of the historic environment in their design, layout and scale without being a pastiche, and will enhance the site and the heritage assets in their vicinity, including No.73 Main Street and Outbuilding B.
- 8.5. Overall and in taking a balanced judgement the proposals are considered to comply with Newark and Sherwood Core Strategy Policy CP2 and Development Management Policy DM9 together with policies contained in the NPPF, including paragraph 190, 197 and 203, and section C2 of the National Design Guide. There is no statutory duty to preserve or enhance non-designated heritage assets or their settings.

Appendix 1: Assessment Methodology

Assessment of significance

In the *NPPF*, heritage significance is defined as:

*“The value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”*³⁰

Historic England’s *GPA:2* gives advice on the assessment of significance as part of the application process. It advises understanding the nature, extent, and level of significance of a heritage asset.³¹

In order to do this, *GPA 2* also advocates considering the four types of heritage value an asset may hold, as identified in English Heritage’s *Conservation Principles*.³² These essentially cover the heritage ‘interests’ given in the glossaries of the *NPPF* and the *PPG* which are archaeological, architectural and artistic, and historic.³³

The *PPG* provides further information on the interests it identifies:

Archaeological interest: *As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.*

Architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skills, like sculpture.

Historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation’s history, but can also provide meaning for communities derived from their collective experience of a place and can symbolise wider values such as faith and cultural identity.³⁴

Significance results from a combination of any, some, or all of the interests described above.

³⁰ DLUHC, *NPPF*, pp. 71-72.

³¹ Historic England, *GPA:2*.

³² Historic England, *Conservation Principles: Policies and Guidance for the Sustainable Management of the Historic Environment* (London, April 2008). These heritage values are identified as being ‘aesthetic’, ‘communal’, ‘historical’ and ‘evidential’, see *idem* pp. 28–32.

³³ DLUHC, *NPPF*, p. 71; DLUHC, *PPG*, Annex 2.

³⁴ DLUHC, *PPG*, paragraph 006, reference ID: 18a-006-20190723.

The most-recently issued Historic England guidance on assessing heritage significance, *HEAN:12*, advises using the terminology of the *NPPF* and *PPG*, and thus it is that terminology which is used in this Report.³⁵

Setting and significance

As defined in the *NPPF*:

“Significance derives not only from a heritage asset’s physical presence, but also from its setting.”³⁶

Setting is defined as:

“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”³⁷

Therefore, setting can contribute to, affect an appreciation of significance, or be neutral with regards to heritage values.

Assessing change through alteration to setting

How setting might contribute to these values has been assessed within this Report with reference to *GPA:3*, particularly the checklist given on page 11. This advocates the clear articulation of *what matters and why*.³⁸

In *GPA:3*, a stepped approach is recommended, of which Step 1 is to identify which settings and their settings are affected. Step 2 is to assess whether, how and to what degree settings make a contribution to the significance of the heritage asset(s) or allow significance to be appreciated. The guidance includes a (non-exhaustive) checklist of elements of the physical surroundings of an asset that might be considered when undertaking the assessment including, among other things: topography, other heritage assets, green space, functional relationships and degree of change over time. It also lists aspects associated with the experience of the asset which might be considered, including: views, intentional intervisibility, tranquillity, sense of enclosure, accessibility, rarity and land use.

Step 3 is to assess the effect of the proposed development on the significance of the asset(s). Step 4 is to explore ways to maximise enhancement and minimise harm. Step 5 is to make and document the decision and monitor outcomes.

A Court of Appeal judgement has confirmed that whilst issues of visibility are important when assessing setting, visibility does not necessarily confer a contribution to significance and factors other than visibility should also be considered, with Lindblom LJ stating at paragraphs 25 and 26 of the judgement (referring to an earlier Court of Appeal judgement):

³⁵ Historic England, *Statements of Heritage Significance: Analysing Significance in Heritage Assets*, Historic England Advice Note 12 (Swindon, October 2019).

³⁶ DLUHC, *NPPF*, p. 72.

³⁷ DLUHC, *NPPF*, p. 71.

³⁸ Historic England, *GPA:3*, p.p. 8, 11.

Paragraph 25 – “But – again in the particular context of visual effects – I said that if “a proposed development is to affect the setting of a listed building there must be a distinct visual relationship of some kind between the two – a visual relationship which is more than remote or ephemeral, and which in some way bears on one’s experience of the listed building in its surrounding landscape or townscape” (paragraph 56)”.

Paragraph 26 – “This does not mean, however, that factors other than the visual and physical must be ignored when a decision-maker is considering the extent of a listed building’s setting. Generally, of course, the decision-maker will be concentrating on visual and physical considerations, as in Williams (see also, for example, the first instance judgment in R. (on the application of Miller) v North Yorkshire County Council [2009] EWHC 2172 (Admin), at paragraph 89). But it is clear from the relevant national policy and guidance to which I have referred, in particular the guidance in paragraph 18a-OB-20140306 of the PPG, that the Government recognizes the potential relevance of other considerations – economic, social and historical. These other considerations may include, for example, “the historic relationship between places”. Historic England’s advice in GPA3 was broadly to the same effect.”³⁹

Levels of significance

Descriptions of significance will naturally anticipate the ways in which impacts will be considered. Hence descriptions of the significance of Conservation Areas will make reference to their special interest and character and appearance, and the significance of Listed Buildings will be discussed with reference to the building, its setting and any features of special architectural or historic interest which it possesses.

In accordance with the levels of significance articulated in the *NPPF* and the *PPG*, three levels of significance are identified:

Designated heritage assets of the highest significance, as identified in paragraph 200 of the *NPPF*, comprising Grade I and II* Listed buildings, Grade I and II* Registered Parks and Gardens, Scheduled Monuments, Protected Wreck Sites, World Heritage Sites and Registered Battlefields (and also including some Conservation Areas) and non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to Scheduled Monuments, as identified in footnote 68 of the *NPPF*;⁴⁰

Designated heritage assets of less than the highest significance, as identified in paragraph 200 of the *NPPF*, comprising Grade II Listed buildings and Grade II Registered Parks and Gardens (and also some Conservation Areas);⁴¹ and

Non-designated heritage assets. Non-designated heritage assets are defined within the *PPG* as “*buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of significance meriting consideration in*

³⁹ Catesby Estates Ltd. v. Steer [2018] EWCA Civ 1697, paras. 25 and 26.

⁴⁰ DLUHC, *NPPF*, para. 200 and fn. 68.

⁴¹ DLUHC, *NPPF*, para. 200.

planning decisions, but which do not meet the criteria for designated heritage assets”⁴²

Additionally, it is of course possible that sites, buildings or areas have no heritage significance.

Grading significance

There is no definitive grading system for assessing or categorising significance outside of the categories of Designated Heritage Assets and Non-designated heritage assets, specifically with regards to the relative significance of different parts of an asset.

ICOMOS guidance recognises that a degree of professional judgement is required when defining significance:

“..the value of heritage attributes is assessed in relation to statutory designations, international or national, and priorities or recommendations set out in national research agendas, and ascribed values. Professional judgement is then used to determine the importance of the resource. Whilst this method should be used as objectively as possible, qualitative assessment using professional judgement is inevitably involved.”⁴³

This assessment of significance adopts the following grading system:

Highest significance: Parts or elements of a heritage asset, or its setting, that are of particular interest and are fundamental components of its archaeological, architectural, aesthetic or historic interest, and form a significant part of the reason for designation or its identification as a heritage asset. These are the areas or elements of the asset that are most likely to warrant retention, preservation or restoration.

Moderate significance: Parts or elements of the heritage asset, or its setting, that are of some interest but make only a modest contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that might warrant retention but are capable of greater adaption and alteration due to their lesser relative significance.

Low or no significance: Parts or elements of the heritage asset, or its setting, that make an insignificant, or relatively insignificant contribution to the archaeological, architectural, aesthetic or historic interest of the heritage asset. These are likely to be areas or elements of the asset that can be removed, replaced or altered due to their minimal or lack of significance and are areas and elements that have potential for restoration or enhancement through new work.

Assessment of harm

Assessment of any harm will be articulated in terms of the policy and law that the proposed development will be assessed against, such as whether a proposed development preserves or

⁴² DLUHC, *PPG*, paragraph 039, reference ID: 18a-039-20190723.

⁴³ International Council on Monuments and Sites (ICOMOS), *Guidance on Heritage Impact Assessment for Cultural World Heritage Properties* (Paris, January 2011), paras. 4-10.

enhances the significance of a heritage asset and articulating the scale of any harm in order to inform a balanced judgement/weighting exercise as required by the NPPF.

With regards to non-designated heritage assets, there is no basis in policy for describing harm to them as substantial or less than substantial, rather the *NPPF* requires that the scale of any harm or loss is articulated whilst having regard to the significance of the asset. Harm to such assets is therefore articulated as a level of harm to their overall significance, using descriptors such as minor, moderate and major harm.

It is also possible that development proposals will cause no harm or preserve the significance of heritage assets. Here, a High Court Judgement of 2014 is relevant. This concluded that with regard to preserving the setting of a Listed building or preserving the character and appearance of a Conservation Area, "*preserving*" means doing "*no harm*".⁴⁴

Preservation does not mean no change, it specifically means no harm. *GPA:2* states that "*Change to heritage assets is inevitable but it is only harmful when significance is damaged*".⁴⁵ Thus, change is accepted in Historic England's guidance as part of the evolution of the landscape and environment. It is whether such change is neutral, harmful or beneficial to the significance of an asset that matters.

As part of this, setting may be a key consideration. When evaluating any harm to significance through changes to setting, this Report follows the methodology given in *GPA:3*, described above.

Fundamental to this methodology is a consideration of "*what matters and why*".⁴⁶ Of particular relevance is the checklist given on page 13 of *GPA:3*.⁴⁷

It should be noted that this key document also states:

"Setting is not itself a heritage asset, nor a heritage designation..."⁴⁸

Hence any impacts are described in terms of how they affect the significance of a heritage asset, and heritage interests that contribute to this significance, through changes to setting.

With regards to changes in setting, *GPA:3* states that:

"Conserving or enhancing heritage assets by taking their settings into account need not prevent change".⁴⁹

Additionally, whilst the statutory duty requires that special regard should be paid to the desirability of not harming the setting of a Listed Building, that cannot mean that any harm, however minor, would necessarily require Planning Permission to be refused. This point has been clarified in the Court of Appeal.⁵⁰

⁴⁴ R (Forge Field Society) v Sevenoaks District Council [2014] EWHC 1895 (Admin).

⁴⁵ Historic England, *GPA:2*, p. 9.

⁴⁶ Historic England, *GPA:3*, p. 8.

⁴⁷ Historic England, *GPA:3*, p. 13.

⁴⁸ Historic England, *GPA:3*, p. 4.

⁴⁹ Historic England, *GPA 3*, p. 8.

⁵⁰ Palmer v Herefordshire Council & Anor [2016] EWCA Civ 1061.

Benefits

Proposed development may also result in benefits to heritage assets, and these are articulated in terms of how they enhance the heritage interests, and hence the significance, of the assets concerned.

As detailed further in **Appendix 2** the *NPPF* (at Paragraphs 201 and 202) requires harm to a designated heritage asset to be weighed against the public benefits of the development proposals.⁵¹

Recent High Court Decisions have confirmed that enhancement to the historic environment should be considered as a public benefit under the provisions of Paragraphs 201 to 203.⁵²

The *PPG* provides further clarity on what is meant by the term ‘public benefit’, including how these may be derived from enhancement to the historic environment (‘heritage benefits’), as follows:

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

sustaining or enhancing the significance of a heritage asset and the contribution of its setting

reducing or removing risks to a heritage asset

securing the optimum viable use of a heritage asset in support of its long term conservation.”⁵³

Any “*heritage benefits*” arising from the proposed development, in line with the narrative above, will be clearly articulated in order for them to be taken into account by the decision maker.

⁵¹DLUHC, *NPPF*, paras. 201 and 202.

⁵²Including - Kay, R (on the application of) v Secretary of State for Housing Communities and Local Government & Anor [2020] EWHC 2292 (Admin); DLUHC, *NPPF*, paras. 201 and 203.

⁵³MHCLG, *PPG*, paragraph 020, reference ID: 18a-020-20 190 723 .

Appendix 2: National Policy Guidance

The National Planning Policy Framework (July 2021)

National policy and guidance is set out in the Government's *National Planning Policy Framework (NPPF)* published in July 2021. This replaced and updated the previous *NPPF* 2019. The *NPPF* needs to be read as a whole and is intended to promote the concept of delivering sustainable development.

The *NPPF* sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision of sustainable development, which should be interpreted and applied locally to meet local aspirations. The *NPPF* continues to recognise that the planning system is plan-led and that therefore Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application, including those which relate to the historic environment.

The overarching policy change applicable to the proposed development is the presumption in favour of sustainable development. This presumption in favour of sustainable development (the 'presumption') sets out the tone of the Government's overall stance and operates with and through the other policies of the *NPPF*. Its purpose is to send a strong signal to all those involved in the planning process about the need to plan positively for appropriate new development; so that both plan-making and development management are proactive and driven by a search for opportunities to deliver sustainable development, rather than barriers. Conserving historic assets in a manner appropriate to their significance forms part of this drive towards sustainable development.

The purpose of the planning system is to contribute to the achievement of sustainable development and the *NPPF* sets out three 'objectives' to facilitate sustainable development: an economic objective, a social objective, and an environmental objective. The presumption is key to delivering these objectives, by creating a positive pro-development framework which is underpinned by the wider economic, environmental and social provisions of the *NPPF*. The presumption is set out in full at paragraph 11 of the *NPPF* and reads as follows:

"Plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a. all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;***
- b. strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:***
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or***

- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

For decision-taking this means:

- a. *approving development proposals that accord with an up-to-date development plan without delay; or*
- b. *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*⁵⁴

However, it is important to note that footnote 7 of the NPPF applies in relation to the final bullet of paragraph 11. This provides a context for paragraph 11 and reads as follows:

*“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 180) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 68); and areas at risk of flooding or coastal change.”*⁵⁵ (our emphasis)

The *NPPF* continues to recognise that the planning system is plan-led and that therefore, Local Plans, incorporating Neighbourhood Plans, where relevant, are the starting point for the determination of any planning application.

Heritage Assets are defined in the *NPPF* as:

*“A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).”*⁵⁶

The *NPPF* goes on to define a Designated Heritage Asset as a:

⁵⁴ DLUHC, *NPPF*, para. 11.

⁵⁵ DLUHC, *NPPF*, para. 11, fn. 7.

⁵⁶ DLUHC, *NPPF*, p. 67.

“World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under relevant legislation.”⁵⁷

As set out above, significance is also defined as:

“The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”⁵⁸

Section 16 of the NPPF relates to ‘Conserving and enhancing the historic environment’ and states at paragraph 195 that:

“Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset’s conservation and any aspect of the proposal.”⁵⁹

Paragraph 197 goes on to state that:

“In determining planning applications, local planning authorities should take account of:

- a. the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b. the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c. the desirability of new development making a positive contribution to local character and distinctiveness.”⁶⁰*

With regards to non-designated heritage assets, paragraph 203 of NPPF states that:

“The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”⁶¹

Overall, the NPPF confirms that the primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent it. Local Planning Authorities should

⁵⁷ DLUHC, *NPPF*, p. 66.

⁵⁸ DLUHC, *NPPF*, pp. 71-72.

⁵⁹ DLUHC, *NPPF*, para. 195.

⁶⁰ DLUHC, *NPPF*, para. 197.

⁶¹ DLUHC, *NPPF*, para. 203.

approach development management decisions positively, looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. Additionally, securing the optimum viable use of sites and achieving public benefits are also key material considerations for application proposals.

National Planning Practice Guidance

The then Department for Communities and Local Government (now the Department for Levelling Up, Housing and Communities (DLUHC)) launched the planning practice guidance web-based resource in March 2014, accompanied by a ministerial statement which confirmed that a number of previous planning practice guidance documents were cancelled.

This also introduced the national Planning Practice Guidance (PPG) which comprised a full and consolidated review of planning practice guidance documents to be read alongside the NPPF.

The PPG has a discrete section on the subject of the Historic Environment, which confirms that the consideration of 'significance' in decision taking is important and states:

“Heritage assets may be affected by direct physical change or by change in their setting. Being able to properly assess the nature, extent and importance of the significance of a heritage asset, and the contribution of its setting, is very important to understanding the potential impact and acceptability of development proposals.”⁶²

In terms of assessment of substantial harm, the PPG confirms that whether a proposal causes substantial harm will be a judgement for the individual decision taker having regard to the individual circumstances and the policy set out within the NPPF. It goes on to state:

“In general terms, substantial harm is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special architectural or historic interest. It is the degree of harm to the asset's significance rather than the scale of the development that is to be assessed. The harm may arise from works to the asset or from development within its setting.

While the impact of total destruction is obvious, partial destruction is likely to have a considerable impact but, depending on the circumstances, it may still be less than substantial harm or conceivably not harmful at all, for example, when removing later inappropriate additions to historic buildings which harm their significance. Similarly, works that are moderate or minor in scale are likely to cause less than substantial harm or no harm at all. However, even minor works have the potential to cause substantial harm.”⁶³ (our emphasis)

⁶² DLUHC, PPG, paragraph 007, reference ID: 18a-007-20 19 0 723 .

⁶³ DLUHC, PPG, paragraph 018, reference ID: 18a-0 18 -20 19 0 723 .

National Design Guide:

Section C2 relates to valuing heritage, local history and culture and states:

"When determining how a site may be developed, it is important to understand the history of how the place has evolved. The local sense of place and identity are shaped by local history, culture and heritage, and how these have influenced the built environment and wider landscape."⁶⁴

"Sensitive re-use or adaptation adds to the richness and variety of a scheme and to its diversity of activities and users. It helps to integrate heritage into proposals in an environmentally sustainable way."⁶⁵

It goes on to state that:

"Well- designed places and buildings are influenced positively by:

the history and heritage of the site, its surroundings and the wider area, including cultural influences;

the significance and setting of heritage assets and any other specific features that merit conserving and enhancing;

the local vernacular, including historical building typologies such as the terrace, town house, mews, villa or mansion block, the treatment of façades, characteristic materials and details - see Identity.

Today's new developments extend the history of the context. The best of them will become valued as tomorrow's heritage, representing the architecture and placemaking of the early 21st century."⁶⁶

⁶⁴ DLUHC, *NDG*, para. 46.

⁶⁵ DLUHC, *NDG*, para. 47.

⁶⁶ DLUHC, *NDG*, paras. 48- 49.

Appendix 3: Relevant Development Plan Policies

Applications for Planning Permission within Gunthorpe are currently considered against the policy and guidance set out within the:

Newark and Sherwood Amended Core Strategy, adopted 7th March 2019.

Newark and Sherwood Local Development Framework Allocations and Development Management Development Plan Document, adopted July 2013.

Core Strategy Core Policy 14 relates to the historic environment and reads as follows.

Core Policy 14

Historic Environment

Newark & Sherwood has a rich and distinctive historic environment and the District Council will work with partners and developers in order to secure:

The continued conservation and enhancement of the character, appearance and setting of the District's heritage assets and historic environment, in line with their identified significance as required in national policy:

Designated assets and environments comprising Listed Buildings (inclusive of the protected views of and across Southwell's principal heritage assets), Conservation Areas, Registered Historic Parks and Gardens, and Scheduled Monuments. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Where adverse impact is identified there should be a clear and convincing justification, including where appropriate a demonstration of clear public benefit

Non-designated heritage assets including buildings of local interest, areas of archaeological interest and unregistered parks and gardens or as identified on the relevant Historic Environment Record or identified in accordance with locally agreed criteria. In weighing applications that affect directly or indirectly non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The preservation and enhancement of the special character of Conservation Areas including that character identified through Conservation Area Character Appraisals which will form the basis for their management. Important open spaces and features identified through the Conservation Area Appraisal process will be protected through subsequent allocation in the Allocations & Development Management DPD;

Positive action for those heritage assets at risk through neglect, decay, vacancy or other threats where appropriate; and

The protection of Historic Landscapes including the Historic Battlefield at Stoke Field, the Sherwood Forest Heritage Area and the Historic Landscape around Laxton. A sustainable future for Laxton will be sought, which preserves and enhances its Open Field System and

culture, the built and natural environment which sustain it, including the Historic Landscape around Laxton, and the institutions which manage it. This will be achieved by working in partnership with the Court Leet, the Crown Estates and the Parish Council. Appropriate new development which facilitates these aims will be supported.

Allocations and Development Management DPD policy DM9 relates to protecting and enhancing the historic environment and reads as follows.

Policy DM9

Protecting and Enhancing the Historic Environment

In accordance with the requirements of Core Policy 14, all development proposals concerning heritage assets will be expected to secure their continued protection or enhancement, contribute to the wider vitality, viability and regeneration of the areas in which they are located and reinforce a strong sense of place.

1. Listed Buildings

Proposals for the change of use of listed buildings and development affecting or within the curtilage of listed buildings requiring planning permission will be required to demonstrate that the proposal is compatible with the fabric and setting of the building. Impact on the special architectural or historical interest of the building will require justification in accordance with the aims of Core Policy 14.

2. Conservation Areas

Development proposals should take account of the distinctive character and setting of individual conservation areas including open spaces and natural features and reflect this in their layout, design, form, scale, mass, use of materials and detailing. Impact on the character and appearance of Conservation Areas will require justification in accordance with the aims of Core Policy 14.

3. Historic Landscapes

Development proposals should respect the varied historic landscapes of the district (including registered parks and gardens and Stoke Field registered battlefield) through their setting and design. Appropriate development that accords with the Core Strategy, other Development Framework Documents and facilitates a sustainable future for Laxton will be supported.

4. Archaeology

Development proposals should take account of their effect on sites and their settings with the potential for archaeological interest. Where proposals are likely to affect known important sites, sites of significant archaeological potential, or those that become known through the development process, will be required to submit an appropriate desk based assessment and where necessary, a field evaluation. This will then be used to inform a range of archaeological mitigation measures, if required, for preservation by record and more occasionally preservation in situ. Planning permission will not normally be granted for development proposals which would destroy or detrimentally affect Scheduled Ancient Monuments. Within Newark's Historic

Core, as defined on the Policies Map, archaeological evaluation will usually be required prior to the determination of planning applications.

5. All Heritage Assets

All development proposals affecting heritage assets and their settings, including new operational development and alterations to existing buildings, where they form or affect heritage assets should utilise appropriate siting, design, detailing, materials and methods of construction. Particular attention should be paid to reflecting locally distinctive styles of development and these should respect traditional methods and natural materials wherever possible. Where development proposals requiring planning permission involve demolition, the resulting impact on heritage assets will be assessed under this policy.

6. Shopfronts

Shopfronts of high architectural or historical value should be retained and preserved wherever possible. Proposals for new shopfronts should respect the character, scale, proportion and detailing of the host building. Detailed assessment of proposals will be made in accordance with a Shopfronts and Advertisements Design Guide Supplementary Planning Document.

Appendix 4: Map of Heritage Assets.

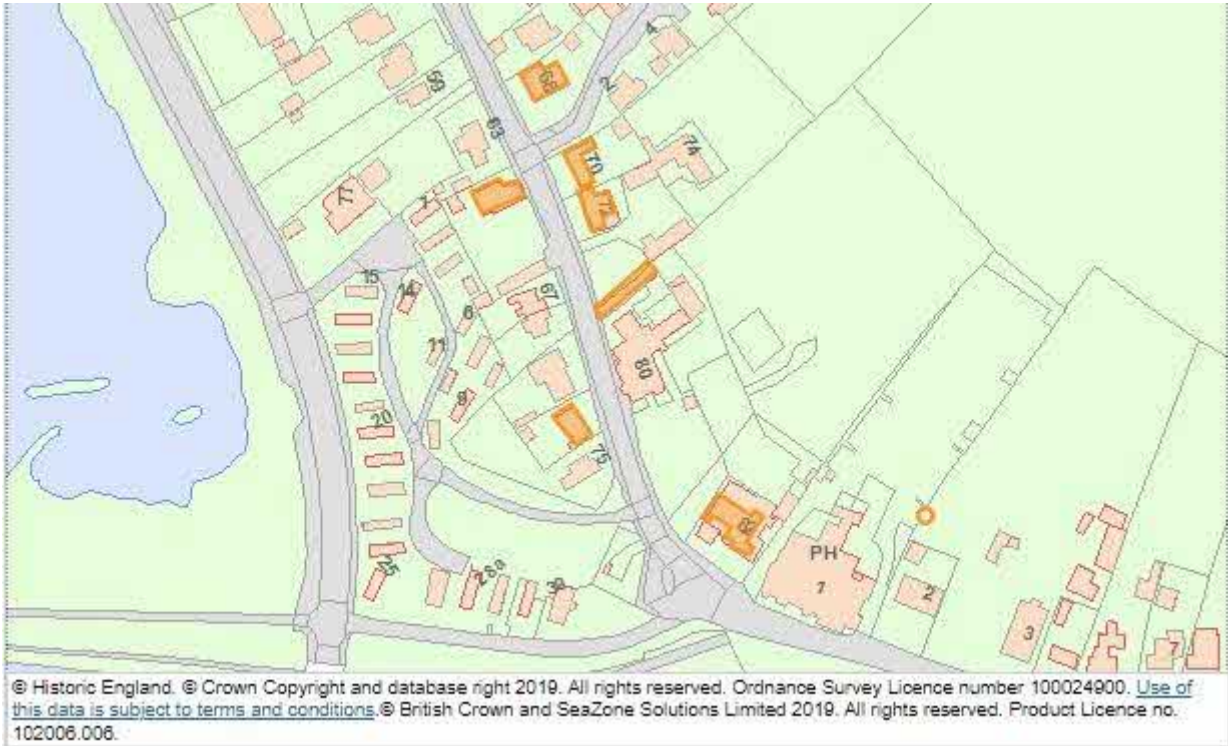


Plate 25: Heritage Assets as shown on the Heritage Gateway /HER.

Planning (Listed Buildings and Conservation Areas) Act 1990
Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

Manchester

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